

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**IN RE: PUERTO RICAN CABOTAGE
ANTITRUST LITIGATION**

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: Master Docket No. 3:08-md-1960(DRD)

**THIS DOCUMENT APPLIES TO:
ALL ACTIONS**

**MOTION FOR LEAVE TO FILE PLAINTIFFS' TENDERED SUR-SURREPLY
TO CROWLEY DEFENDANTS' SUR-REPLY (DOC. NO. 396) REGARDING
PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENT
AGREEMENT WITH HORIZON DEFENDANTS**

TO THE HONORABLE COURT:

COME NOW Direct Purchaser Plaintiffs and the Class, by their undersigned counsel, and respectfully aver and pray as follows:

1. On August 5, 2009, Crowley Defendants filed a Sur-reply regarding Plaintiffs' motion for preliminary approval for the settlement agreement with Horizon Defendants. See Docket No. 396.

2. Due to the need to fully address Crowley Defendants' arguments, pursuant to Local Civil Rule 7.1(c), the appearing Plaintiffs and the Class request leave from this Honorable Court to file the tendered *Sur-surreply to Crowley Defendants' Surreply regarding Plaintiffs' Motion for Preliminary Approval of Settlement Agreement with Horizon Defendants*.

WHEREFORE, for the reasons set forth above, the appearing Plaintiffs and the Class respectfully request this Honorable Court to grant leave to file the tendered *Sur-surreply to Crowley Defendants' Surreply regarding Plaintiffs' Motion for Preliminary Approval of Settlement Agreement with Horizon Defendants*.

WE HEREBY CERTIFY that today we electronically filed the foregoing document with the Clerk of Court using the CM/ECF system which, on information and belief, shall automatically notify counsel of record, and which pursuant to Local Civil Rule 5.1(b)(2), constitutes the equivalent service.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 13th day of August, 2009.

/s/ John F. Nevares

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